

MALTA

CRC OPTIONAL PROTOCOL (ARMED CONFLICT)

RESERVATIONS AND DECLARATIONS

(Unless otherwise indicated, the reservations and declarations were made upon ratification, accession or succession)

Declaration:

"Under the Malta Armed Forces Act (Chapter 220 of the Laws of Malta), enacted in 1970, enlistment in the Armed Forces of Malta shall be made on a voluntary basis and no person under the age of seventeen years and six months may be so enlisted. A person under 18 years may not be enlisted unless consent to the enlistment is given in writing by the father of such person or, if such person is not subject to paternal authority, by the mother or by an other person in whose care the person offering to enlist may be. In any case, the term of engagement of a person enlisting under the age of 18 expires on reaching 18 years of age and enlistment has to be renewed. It is a mandatory condition for enlistment of potential recruits to produce a birth certificate from the national Civil Status Office to attest their age.

The Malta Armed Forces Act also provides that any person of whatever age offering to enlist in the regular force shall, before enlistment, be given a notice on the prescribed form stating the general conditions of engagement and the recruiting officer shall not enlist any person in the regular force unless satisfied that the potential recruit has been given such notice, understood its contents and wishes to be enlisted.

In practice the Armed Forces of Malta do not recruit and have not since 1970 recruited persons under the age of 18 years. The Government of Malta further declares that if in future recruitment of persons under 18 years were made such members of the armed forces will not take part in hostilities.

Regulations under the Malta Armed Forces Act provide for a Junior Leaders Scheme whereby persons under the age of seventeen and six months could be recruited for training but in a non-combatant position, but in effect no such recruitment has taken place since 1970."